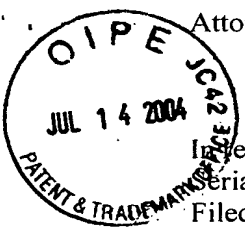


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Attorney Docket No.: 9056-5CT

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Mailland  
Serial No.: 10/016,005  
Filed: November 1, 2001  
For: *METHODS FOR MAKING SUSTAINED-RELEASE PHARMACEUTICAL COMPOSITIONS OF ERGOT ALKALOIDS HAVING IMPROVED BIOAVAILABILITY AND COMPOSITIONS THEREOF*

Confirmation No.: 3851  
Group Art Unit: 1615  
Examiner: M. Young

July 14, 2004

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Pursuant to 35 USC §134, 37 CFR 1.191, and MPEP §1205, the Applicant in the above-identified patent application hereby appeals to the Board of Patent Appeals and Interferences from the Office Action dated January 14, 2004, at least twice rejected or finally rejecting claims 20-51.

Applicant claims small entity status. See 37 CFR 1.27.

☒ Enclosed is a check in the amount of \$165.00 for the Appeal fee as provided by 37 C.F.R. § 1.17(b).

☐ Payment by credit card is requested. Form PTO-2038 is attached.

☐ A petition for an extension of time under 37 CFR 1.136(a) is enclosed.

☒ Also enclosed: Request for Acceptance Without Petition for Extension of Time; Photocopy of the Amendment After Final of February 23, 2004 and Photocopy of postcard receipt.

☒ The Commissioner is authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 50-0220.

Respectfully submitted  
  
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Registration No. 53,888

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**CERTIFICATE OF EXPRESS MAILING**

Express Mail Label No. EV 472534836 US  
Date of Deposit: July 14, 2004  
I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop AF, Commissioner for Patent, P.O. Box 1450, Alexandria, VA 22313-1450.

Susan E. Freedman  
Date of Signature: July 14, 2004

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